

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Stan Gronthos et al.

Serial No. : 10/551,162 Group Art Unit: 1644

Filed : September 28, 2005 Examiner: Michail A.
Belyavskiy

Conf. No. : 3174

Title : PERIVASCULAR MESENCHYMAL PRECURSOR CELLS

30 Rockefeller Plaza, 20th Fl.
New York, New York 10112
December 22, 2010

BY EFS

Commissioner for Patents
Alexandria, VA

Sir:

AMENDMENT UNDER 37 C.F.R. §1.57(a)

This Amendment is submitted in response to a December 22, 2010 teleconference between Examiner Belyavskiy and Charanjit Arora of the undersigned's office regarding the apparent omission of page 16 of the specification of the above-identified application.

During the December 22, 2010 teleconference, Examiner Belyavskiy agreed to insert page 16 into the specification based on the rationale provided by Charanjit Arora of the undersigned's office. Applicants summarize the basis for inserting page 16 hereinbelow.

The subject application is a national stage of, and incorporates by reference in accordance with 37 C.F.R.

Applicants: Stan Gronthos *et al.*
Serial No.: 10/551,162
Filed: March 29, 2004
Page 2

§1.57(a), by virtue of a Preliminary Amendment filed September 28, 2005, the contents, including page 16, of PCT International Application No. PCT/AU2004/000416. The PCT application as filed (and published as WO 2004/085630 A1) includes page 16 of the specification. 37 C.F.R. §1.57(a) states "if all or a portion of the specification or drawing(s) is inadvertently omitted from an application, but the application contains a claim under § 1.55 for priority of a prior-filed foreign application, or a claim under § 1.78 for the benefit of a prior-filed provisional, nonprovisional, or international application, that was present on the filing date of the application, and the inadvertently omitted portion of the specification or drawing(s) is completely contained in the prior-filed application, the claim under § 1.55 or § 1.78 shall also be considered an incorporation by reference of the prior-filed application as to the inadvertently omitted portion of the specification or drawing(s)."

In order to complete the specification of the subject application, applicants request insertion into the specification of page 16 of the specification of PCT International Application No. PCT/AU2004/000416, which is incorporated by reference into the subject application. A copy of page 16 is attached hereto as **Exhibit A**. This Amendment is in accordance with 37 C.F.R. §1.57 in that it is being filed "before the close of prosecution as defined by §1.114(b)." In accordance with 37 C.F.R. §1.57(a)(1)(i) applicants also enclose herewith as **Exhibit B** a copy of PCT International Application No. PCT/AU2004/000416. In accordance with 37 C.F.R. §1.57(a)(1)(iii) applicants note

Applicants: Stan Gronthos *et al.*
Serial No.: 10/551,162
Filed: March 29, 2004
Page 3

that page 16 as being inserted by this Amendment into the subject application is present as page 16 of PCT International Application No. PCT/AU2004/000416 (Exhibit B).

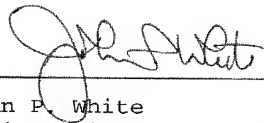
Accordingly, applicants maintain that this Amendment raises no issue of new matter and respectfully request that it be entered.

Applicants: Stan Gronthos et al.
Serial No.: 10/551,162
Filed: March 29, 2004
Page 4

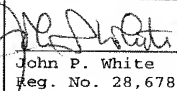
If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

No fee is deemed necessary in connection with the filing of this Amendment. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



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Certificate of Transmission	
I hereby certify that this correspondence is being transmitted via the Electronic Filing System (EFS) to the U.S. Patent and Trademark Office on <u>December 22, 2010</u> .	
 John P. White Reg. No. 28,678	<u>12/22/10</u> Date